

House Amendment 8573

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1 1 Amend House File 2578 as follows:
1 2 #1. Page 23, by inserting after line 22 the
1 3 following:
1 4 . Section 147.1, subsection 2, paragraph
1 5 c, Code 2003, is amended to read as follows:
1 6 c. "Licensed" or "certified" when applied to a
1 7 physician and surgeon, podiatric physician, osteopath,
1 8 osteopathic physician and surgeon, physician
1 9 assistant, psychologist or associate psychologist,
1 10 chiropractor, nurse, dentist, dental hygienist,
1 11 optometrist, speech pathologist, audiologist,
1 12 pharmacist, physical therapist, occupational
1 13 therapist, respiratory care practitioner, practitioner
1 14 of cosmetology arts and sciences, practitioner of
1 15 barbering, funeral director, dietitian, marital and
1 16 family therapist, mental health counselor, social
1 17 worker, massage therapist, athletic trainer, ~~or~~
1 18 acupuncturist, or interpreter, means a person licensed
1 19 under this subtitle.
1 20 Sec. . Section 147.1, subsection 2, paragraph
1 21 f, Code 2003, is amended to read as follows:
1 22 f. "Profession" means medicine and surgery,
1 23 podiatry, osteopathy, osteopathic medicine and
1 24 surgery, practice as a physician assistant,
1 25 psychology, chiropractic, nursing, dentistry, dental
1 26 hygiene, optometry, speech pathology, audiology,
1 27 pharmacy, physical therapy, occupational therapy,
1 28 respiratory care, cosmetology arts and sciences,
1 29 barbering, mortuary science, marital and family
1 30 therapy, mental health counseling, social work,
1 31 dietetics, massage therapy, athletic training, ~~or~~
1 32 acupuncture, or interpreting.
1 33 Sec. . Section 147.2, unnumbered paragraph 1,
1 34 Code 2003, is amended to read as follows:
1 35 A person shall not engage in the practice of
1 36 medicine and surgery, podiatry, osteopathy,
1 37 osteopathic medicine and surgery, psychology,
1 38 chiropractic, physical therapy, nursing, dentistry,
1 39 dental hygiene, optometry, speech pathology,
1 40 audiology, occupational therapy, respiratory care,
1 41 pharmacy, cosmetology, barbering, social work,
1 42 dietetics, marital and family therapy or mental health
1 43 counseling, massage therapy, mortuary science, ~~or~~
1 44 acupuncture, or interpreting, or shall not practice as
1 45 a physician assistant as defined in the following
1 46 chapters of this subtitle, unless the person has
1 47 obtained from the department a license for that
1 48 purpose.
1 49 Sec. . Section 147.13, Code 2003, is amended by
1 50 adding the following new subsection:
2 1 NEW SUBSECTION. 21. For interpreters, interpreter
2 2 examiners.
2 3 Sec. . Section 147.14, Code 2003, is amended by
2 4 adding the following new subsection:
2 5 NEW SUBSECTION. 21. For interpreting, four
2 6 members licensed to practice interpreting, three of
2 7 whom shall be practicing interpreters at the time of
2 8 appointment to the board and at least one of whom is
2 9 employed in an educational setting; and three members
2 10 who are consumers of interpreting services as defined
2 11 in section 154E.1, each of whom shall be deaf. A
2 12 majority of members of the board constitutes a quorum.
2 13 Sec. . Section 147.74, Code Supplement 2003, is
2 14 amended by adding the following new subsection:
2 15 NEW SUBSECTION. 21A. An interpreter licensed
2 16 under chapter 154E and this chapter may use the title
2 17 "licensed interpreter" or the letters "L.I." after the
2 18 person's name.
2 19 Sec. . Section 147.80, Code Supplement 2003, is
2 20 amended by adding the following new subsection:
2 21 NEW SUBSECTION. 28A. License to practice
2 22 interpreting, license to practice interpreting under a
2 23 reciprocal license, or renewal of a license to
2 24 practice interpreting.

2 25 Sec. _____. NEW SECTION. 154E.1 DEFINITIONS.
2 26 As used in this chapter, unless the context
2 27 otherwise requires:
2 28 1. "Board" means the board of interpreter
2 29 examiners established in chapter 147.
2 30 2. "Consumer" means an individual utilizing
2 31 interpreting services who uses spoken English,
2 32 American sign language, or a manual form of English.
2 33 3. "Department" means the Iowa department of
2 34 public health.
2 35 4. "Interpreter training program" means a post=
2 36 secondary education program training individuals to
2 37 interpret or transliterate.
2 38 5. "Interpreting" means facilitating communication
2 39 between individuals who communicate via American sign
2 40 language and individuals who communicate via spoken
2 41 English.
2 42 6. "Licensee" means any person licensed to
2 43 practice interpreting or transliterating for deaf,
2 44 hard-of-hearing, and hearing individuals in the state
2 45 of Iowa.
2 46 7. "Transliterating" means facilitating
2 47 communication between individuals who communicate via
2 48 a manual form of English and individuals who
2 49 communicate via spoken English.
2 50 Sec. _____. NEW SECTION. 154E.2 DUTIES OF THE
3 1 BOARD.
3 2 The board shall administer this chapter. The
3 3 board's duties shall include, but are not limited to,
3 4 the following:
3 5 1. Adopt rules consistent with this chapter and
3 6 with chapter 147 which are necessary for the
3 7 performance of its duties.
3 8 2. Act on matters concerning licensure and the
3 9 process of applying for, granting, suspending,
3 10 imposing supervisory or probationary conditions upon,
3 11 reinstating, and revoking a license.
3 12 3. Establish and collect licensure fees. The
3 13 board shall establish the amounts of license and
3 14 renewal fees based upon the actual costs of sustaining
3 15 the board and the actual costs of issuing the
3 16 licenses, and all fees collected shall be deposited
3 17 with the treasurer of state who shall deposit them in
3 18 the general fund of the state.
3 19 4. Administer the provisions of this chapter
3 20 regarding documentation required to demonstrate
3 21 competence as an interpreter, and the processing of
3 22 applications for licenses and license renewals.
3 23 5. Establish and maintain as a matter of public
3 24 record a registry of interpreters licensed pursuant to
3 25 this chapter.
3 26 6. Develop continuing education requirements as a
3 27 condition of license renewal.
3 28 7. Evaluate requirements for licensure in other
3 29 states to determine if reciprocity may be granted.
3 30 Sec. _____. NEW SECTION. 154E.3 REQUIREMENTS FOR
3 31 LICENSURE.
3 32 On or after July 1, 2005, every person providing
3 33 interpreting or transliterating services in this state
3 34 shall be licensed pursuant to this chapter. The board
3 35 shall adopt rules pursuant to chapters 17A, 147, and
3 36 272C establishing procedures for the licensing of new
3 37 and existing interpreters. Prior to obtaining
3 38 licensure, an applicant shall successfully pass an
3 39 examination prescribed and approved by the board,
3 40 demonstrating the following:
3 41 1. VOICE-TO-SIGN INTERPRETATION. An applicant
3 42 shall demonstrate proficiency at:
3 43 a. Message equivalence, producing a true and
3 44 accurate signed form of the spoken message,
3 45 maintaining the integrity of content and meaning, and
3 46 exhibiting few omissions, substitutions, or other
3 47 errors.
3 48 b. Affect, producing nonmanual grammar consistent
3 49 with the intent and emotion of the speaker, and
3 50 exhibiting no distracting mannerisms.
4 1 c. Vocabulary choice, making correct sign choices
4 2 appropriate to the setting and consumers, applying
4 3 facial grammar consistent with sign choice, selecting
4 4 signs that remain true to speaker's intent, and
4 5 demonstrating lexical variety.

4 6 d. Fluency, displaying confidence in production,
4 7 exhibiting a strong command of American sign language
4 8 or manual codes for English, applying nonmanual
4 9 behaviors consistent with the speaker's intent, and
4 10 demonstrating understanding of and sensitivity to
4 11 cultural differences.

4 12 2. SIGN=TO=VOICE INTERPRETATION. An applicant
4 13 shall demonstrate proficiency at:

4 14 a. Message equivalence, producing a true and
4 15 accurate spoken form of the signed message,
4 16 maintaining the integrity of content and meaning, and
4 17 exhibiting few omissions, substitutions, or other
4 18 errors.

4 19 b. Affect, producing inflection consistent with
4 20 the intent and emotion of the speaker, and exhibiting
4 21 no distracting mannerisms.

4 22 c. Vocabulary choice, making correct word choices
4 23 appropriate to the setting and consumers, using vocal
4 24 inflection consistent with word choice, selecting
4 25 words that remain true to the speaker's intent, and
4 26 demonstrating lexical variety.

4 27 d. Fluency, displaying confidence in production,
4 28 exhibiting a strong command of English in both spoken
4 29 and written forms, applying vocal inflections
4 30 consistent with the speaker's intent, and
4 31 demonstrating understanding of and sensitivity to
4 32 cultural differences.

4 33 3. PROFESSIONAL CONDUCT. An applicant shall
4 34 demonstrate:

4 35 a. Proficiency in functioning as a communicator of
4 36 messages between the sender and receiver, and
4 37 educating consumers of services about the functions
4 38 and logistics of the interpreting process.

4 39 b. An impartial demeanor, refraining from
4 40 interjecting opinions or advice and from aligning with
4 41 one party over another. An applicant shall treat all
4 42 people fairly and respectfully regardless of their
4 43 relationship to the interpreting assignment, and
4 44 present a professional appearance that is not visually
4 45 distracting and is appropriate to the setting. An
4 46 applicant shall exhibit knowledge and application of
4 47 federal and state laws pertaining to the interpreting
4 48 profession.

4 49 c. Integrity, and shall be proficient in
4 50 understanding and applying ethical behavior
5 1 appropriate for a licensee. An applicant shall
5 2 demonstrate discretion in accepting and meeting
5 3 interpreter services requests, and shall engage
5 4 actively in lifelong learning.

5 5 Sec. ____ NEW SECTION. 154E.4 EXCEPTIONS.

5 6 1. A person shall not practice interpreting or
5 7 transliterating, or represent oneself to be an
5 8 interpreter, unless the person is licensed under this
5 9 chapter.

5 10 2. This chapter does not prohibit any of the
5 11 following:

5 12 a. Any person residing outside of the state of
5 13 Iowa holding a current license from another state that
5 14 meets the state of Iowa's requirements from providing
5 15 interpreting or transliterating services in this state
5 16 for up to fourteen days per calendar year without a
5 17 license issued pursuant to this chapter.

5 18 b. Any person who interprets or transliterates
5 19 solely in a religious setting with the exception of
5 20 those working in schools that receive government
5 21 funding.

5 22 c. Volunteers working without compensation,
5 23 including emergency situations, until a licensed
5 24 interpreter is obtained.

5 25 d. Any person working as a substitute for a
5 26 licensed interpreter in an early childhood,
5 27 elementary, or secondary education setting for no more
5 28 than thirty school days in a calendar year.>

5 29 #2. Page 24, by inserting after line 11 the
5 30 following:

5 31 ____ Section 272C.1, subsection 6, Code
5 32 2003, is amended by adding the following new
5 33 paragraph:

5 34 NEW PARAGRAPH. ad. The board of interpreter
5 35 examiners, created pursuant to chapter 154E.>

5 36 #3. Page 25, by inserting after line 22 the

5 37 following:

5 38 _____. INTERPRETER STANDARDS AND REGULATIONS.

5 39 There is appropriated from the general fund of the
5 40 state to the Iowa department of public health, for the
5 41 fiscal year beginning July 1, 2004, and ending June
5 42 30, 2005, the following amount, or so much thereof as
5 43 is necessary, for the purpose designated:

5 44 For protecting the health and safety of the public
5 45 through establishing standards and enforcing
5 46 regulations of interpreters for the deaf, hard-of-
5 47 hearing, and hearing, and for not more than the
5 48 following full-time equivalent positions:

5 49	\$	60,390
5 50	FTEs	1.00

6 1 Sec. _____. TRANSITION PROVISIONS.

6 2 1. The board of interpreter examiners shall be
6 3 provisionally established as provided in section
6 4 147.14, as amended in this Act, effective July 1,
6 5 2004, for the sole purpose of appointment of members
6 6 and organizing, planning, and adopting rules, as
6 7 described in section 9 of this Act, which rules shall
6 8 be effective July 1, 2005. The board shall become
6 9 fully operational July 1, 2007, as provided in this
6 10 Act.

6 11 2. Applicants for licensure under chapter 154E who
6 12 have not passed a licensure examination approved by
6 13 the board by July 1, 2005, shall be issued a temporary
6 14 license to practice interpreting for a period of two
6 15 years, commencing on July 1, 2005.

6 16 3. Applicants issued a temporary license pursuant
6 17 to this section shall pass a licensure examination
6 18 approved by the board on or before July 1, 2007, in
6 19 order to remain licensed as an interpreter.

6 20 Sec. _____. EFFECTIVE DATE. The sections of this
6 21 division of this Act providing for the licensing of
6 22 interpreters by amending chapters 147 and 272C and
6 23 enacting chapter 154E take effect July 1, 2005.>

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6 31 HUTTER of Scott

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6 35 HEATON of Henry

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6 39 CONNORS of Polk

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